

**UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MASSACHUSETTS**

**LEXINGTON INSURANCE COMPANY AND
NATIONAL UNION FIRE INSURANCE COMPANY
OF PITTSBURGH,**

Plaintiffs,

v.

VIRGINIA SURETY COMPANY, INC.,
Defendant.

**CIVIL ACTION
No. 04-11109 RGS**

CERTIFICATE OF SERVICE

I, Robert Maselek, hereby certify that the attached *Transcript Report/Transcript Order*, filed through the ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF), to wit:

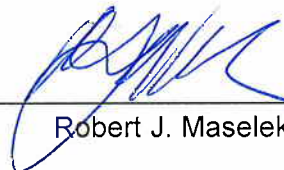
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Paper copies will be sent to any indicated as non-registered participants on June 15, 2007.

Dated: June 15, 2007


Robert J. Maselek

Case name Lexington Insurance Co. v. Virginia Surety Co.
 District Court Case No. 04-11109 RGS District of Massachusetts
 Date Notice of Appeal filed May 31, 2007 Court of Appeals Case No. _____
 Form filed on behalf of Appellants Lexington Insurance Co. and National Union Fire Insurance
Company of Pittsburgh, PA
TRANSCRIPT REPORT

Transcript Not Necessary for this Appeal _____
 Transcript Already Filed in District Court. List each transcript by docket entry number and date and type of proceeding (attach separate page if necessary) _____

TRANSCRIPT ORDER

Name of Court Reporter Carol L. Scott
 Phone Number of Reporter 617/330-1377

A. ☒ **This constitutes an order of the transcript of the following proceedings [check appropriate box(es) and indicate dates of hearing(s)]:**

PROCEEDING(S)	HEARING DATE(S)
<input type="checkbox"/> Jury Voir Dire	_____
<input type="checkbox"/> Opening Statement (plaintiff)	_____
<input type="checkbox"/> Opening Statement (defendant)	_____
<input type="checkbox"/> Trial	_____
<input type="checkbox"/> Closing Argument (plaintiff)	_____
<input type="checkbox"/> Closing Argument (defendant)	_____
<input type="checkbox"/> Findings of Fact/Conclusions of Law	_____
<input type="checkbox"/> Jury Instructions	_____
<input type="checkbox"/> Change of Plea	_____
<input type="checkbox"/> Sentencing	_____
<input type="checkbox"/> Bail hearing	_____
<input type="checkbox"/> Pretrial proceedings (specify) _____	_____
<input type="checkbox"/> Testimony (specify) _____	_____
<input checked="" type="checkbox"/> Other (specify) <u>Motion Hearing</u>	<u>February 2, 2007</u>

NOTE: Any form that fails to specify in adequate detail those proceedings to be transcribed will be considered deficient.

B. ☒ **I certify that I have contacted the court reporter and the following financial arrangements for payment of the transcript have been made:**

- ☒ Private funds.
☐ Government expense (civil case). IFP status has been granted and a motion for transcript at government expense has been allowed. (Attach a copy of the order to each copy of this order form.)
☐ Criminal Justice Act. A CJA Form 24 has been approved by the district court judge.
☐ Criminal Justice Act. A CJA Form 24 is attached for authorization by the court of appeals.
☐ Federal Public Defender/Government Counsel - no CJA Form 24 necessary.

Filer's name Gerald S. Frim Filer's Signature Gerald S. Frim
 Firm/Address The McCormack Firm, LLC, One International Place, Boston, MA 02110
 Telephone number 617/951-2929 Date mailed to court reporter 6/7/07

(Court Reporter Use ONLY) Date received _____